

**STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON NATIONAL PARKS OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 722, A BILL TO DIRECT THE SECRETARY OF THE INTERIOR AND THE SECRETARY OF AGRICULTURE TO JOINTLY CONDUCT A STUDY OF CERTAIN LANDS ADJACENT TO THE WALNUT CANYON NATIONAL MONUMENT IN THE STATE OF ARIZONA.**

**APRIL 26, 2007**

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Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Administration's views on S. 722, a bill to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain lands adjacent to the Walnut Canyon National Monument in the State of Arizona.

The Administration does not object to the enactment of S. 722. In testimony before this subcommittee in the 109<sup>th</sup> Congress, the Administration also did not object to the enactment of S. 556, an almost identical bill. However, the Administration believes that funding should be directed first toward completing and implementing ongoing studies.

S. 722 would direct the Secretary of the Interior and the Secretary of Agriculture to conduct a study of approximately 31,000 acres surrounding Walnut Canyon National Monument (monument). The bill would direct the Secretaries to utilize a third-party consultant to prepare a draft study and designate a lead agency to conduct the study. The study would evaluate a range of options to manage federal and State lands adjacent to the monument in the long term in order to protect the resources and maintain public use and

access to this area of Arizona, as well as the respect the rights of private property owners that are within the study area.

S. 722 would direct the Secretaries, as well as local land managers, the Flagstaff City Council and the Coconino County Board of Supervisors to review and provide the third-party consultant with comments on the draft study. The bill also requires a report that includes findings, conclusions, and recommendations for future management of the study area to be transmitted by the Secretaries to Congress no later than 18 months after appropriations are made available. The bill would authorize \$350,000 to carry out S. 722.

Walnut Canyon National Monument was established on November 30, 1915, by Presidential Proclamation with the specific purpose of preserving the prehistoric ruins of ancient cliff dwellings. The monument was expanded in 1938 and 1996 and now occupies approximately 3,600 acres. The purposes for which the area was originally established have expanded to include protection of natural and cultural resources that are known to be significant to contemporary native tribes and the ecological communities and geological resources that make the canyon an outstanding scenic resource. The monument and the surrounding lands of the Coconino National Forest provide a significant natural sanctuary and greenbelt surrounding the city of Flagstaff.

During the last few years, the National Park Service has been completing a General Management Plan (GMP) for Walnut Canyon National Monument. The final version of

the GMP will be released for 30 day public review later this year. Many of the issues identified for resolution in S. 722 are also identified as needs in the GMP including addressing the history of this boundary issue and the planning efforts that area governments have been making that would affect the quality and values of the monument.

For several years, local communities adjacent to the monument have debated how the land surrounding the monument would be best protected from future development. A number of years ago, the Coconino County Board of Supervisors and the Flagstaff City Council passed resolutions concluding that the preferred method to determine what is best for the land surrounding the monument is by having a federal study conducted. Included within the lands to be studied that surround the monument are approximately 2,000 acres of State trust lands. Our understanding is that Arizona law prohibits State lands to be donated and that the Arizona Supreme Court has determined that the Arizona Constitution prohibits the disposal of certain State land except through auction to the highest and best bidder. Should the study's conclusions involve these types of actions concerning State lands, we would have to await a determination on how the citizens of Arizona and their representatives would recommend proceeding.

We understand the concern that National Forest System (NFS) lands between the Monument and the City of Flagstaff might eventually be sold or exchanged originally prompted local support for this proposed study. The proposed study area is within two miles of the campus of Northern Arizona University and is a prime recreation area for

students, as well as for Flagstaff area residents. In fact, the area is the second most-used area for recreation in the greater Flagstaff area, behind only the San Francisco Peaks.

In 2003, the Coconino National Forest amended its Land and Resource Management Plan, resulting in a decision to provide for closure of the area to motorized access and to remove the land encircling the Monument from consideration for sale or exchange. The Flagstaff-area Regional Land Use and Transportation Plan (RLUTP), approved by the Flagstaff City Council and the Coconino County Board of Supervisors in 2002, limits growth and does not allow for development within the study area. RLUTP specifically precludes two key sections of Arizona State Trust land between Flagstaff and the Monument as suitable for development. Those lands are identified in the plan for open space and greenways.

Mr. Chairman, I would like to note that since this bill was first introduced, a great deal of cooperative planning work has been accomplished by the National Park Service, U.S. Forest Service, State of Arizona, Coconino County, and the City of Flagstaff to achieve the bill's objectives.

If the Committee moves forward with S. 722, Section 4 may need to be amended to specify that the draft study be available for public comment. Additionally, section 4(e)(2) should also be revised to require the Secretaries to "submit to Congress a report that includes recommendations, if any, for the future management of" certain lands adjacent to the Walnut Canyon National Monument in the State of Arizona, consistent

with the Recommendations Clause of the Constitution. We will be happy to work with the Committee on the suggested amendments.

Mr. Chairman that completes my prepared remarks. I would be happy to answer any questions that you or other members of the subcommittee may have.